ATTACHMENT—ACTIONS FOR BREACH OF PROMISE.—An attachment in a suit for breach of promise of marriage is held, in *Mainz* v. *Lederer* (R. I.), 59 L. R. A. 954, not to be authorized by a statute authorizing attachment upon the filing of an affidavit that plaintiff has a just claim against defendant that is due upon which he expects to recover a sum sufficient to give justification.

The other authorities as to right to attachment or order of arrest in breach of promise case are collected in a note to this case.

CONSTITUTIONAL LAW—EIGHT HOUR LEGISLATION.—An act limiting to eight hours per day the work of laborers, etc., employed on behalf of the State or any of its political subdivisions, and requiring that every contract for public work shall contain a stipulation that no laborer shall be permitted to work more than eight hours under penalty of a forfeiture by the contractor of a certain sum for each day any person shall work more than such time, is held, in *Cleveland* v. *Clements Bros. Construction Co.* (Ohio,) 59 L. R. A. 775, to be unconstitutional and void.

DUE PROCESS OF LAW—LIENS—LIABILITY OF PURCHASER.—A purchaser of property upon which a log lien is claimed is held, in *Rogers-Ruger Co.* v. *Murray* (Wis.), 59 L. R. A. 737, to be deprived of his property without due process of law by a statute making him personally liable for the full amount of the claim if a petition for lien is duly filed, proceedings to enforce it are begun in time, and the property has been so changed that the lien cannot be enforced against it.

With this case is a note as to personal liability of purchaser of personal property which is subject to a lien.

RECEIVERS — COLLUSIVE APPOINTMENT—LIABILITY OF COLLUDING CREDITOR.—A creditor of an embarrassed corporation, who for the purpose of getting control of its plant and shielding it from its creditors, collusively obtains the appointment of a receiver, and thereby prevents the owner of the premises on which the plant is located from enforcing his claim for rent is held, in *Link Belt Machinery Co.* v. *Hughes* (Ill.), 59 L. R. A. 673, to be personally liable for the rent accruing during the receivership.

A note to this case reviews the other authorities on liability for rent of premises occupied by receiver of assignee for creditors.

NEGLIGENCE — CARRIERS — CONTRIBUTORY NEGLIGENCE — JOINT TORTFEASORS.—Where a railroad company has made diligent effort to have the city, through which its tracks run, furnish a light at its passenger depot, the duty nevertheless devolves primarily upon the railroad company to maintain safe depot accommodations, and if it delegates that duty to another, his negligence becomes that of the railroad company. *Owen* v. *Washington etc. R. Co.* (Wash.), 69 Pac. 756. Citing *Herrman* v. *Ry. Co.*, 68 Pac. 82.

Cf. *Penna. R. Co.* v. *Roy*, 102 U. S. 451, in which a passenger in a Pullman car, injured by a berth falling and striking him on the head, was awarded a verdict and judgment for damages against the railroad company, of whose train the Pullman car formed a part. Cited in *N. Y. P. & N. Ry. Co.* v. *Cromwell*, 98 Va. 227.

It is not negligence *per se* for one to get off a train on the side opposite the

platform. Such fact is for the jury in connection with other physical conditions proven. *Owen* v. *Washington etc. R. Co.*, *supra*. Citing *Ry. Co.* v. *Lowell*, 151 U. S. 209; *McQuilken* v. *R. Co.*, 64 Cal. 463; *Robostelli* v. *N. Y. etc. Ry. Co.* (C. C.), 33 Fed. 796. To these may be added *Chicago etc.* R. Co. v. *Bolton etc. R. Co.*, 37 Ill. App. 143; *McKimble* v. *Boston etc. R. Co.*, 141 Mass. 463; *Poole* v. *Consol. R. Co.*, 100 Mich. 379, 25 L. R. A. 744. *Contra*, *P. R. Co.* v. *Zebe*, 33 Pa. St. 318; *Drake* v. *P. R. Co.* 137 Pa. St. 352, 21 Am. St. Rep. 833; *Deselms* v. *B. & O. R. Co.*, 149 Pa. St. 432, in each of which the court, as a matter of law adjudged the case to be one of contributory negligence, and in terms or effect, directed a verdict for defendant. To the same effect, see *L. & N. R. Co.* v. *Ricketts*, 93 Ky. 116.

INJUNCTION AGAINST STRIKERS.—Upon a bill in equity filed by complainants, who were owners and operators of a silk mill, praying for an injunction against upwards of eighty defendants, a preliminary injunction was awarded restraining the defendants and each of them "from collecting and attempting to collect in crowds in the street at or near complainants' premises . . . and from entering complainants' premises, and from following in the street for the purpose of annoying or intimidating any person employed by complainants," etc., "and from threatening or using any coercive language in order to induce any employee of complainants not to work for complainants," etc. Upon affidavits tending to show a violation of this order, and a motion for an adjudication of contempt, it was held that the remedy by suit in equity for an injunction was proper, and that the parties shown to be in contempt will be punished. *Frank* v. *Harold* (Ct. Ch. of N. J.), 52 Atl. 152.

Per Putney, C. C.:

"I think it is quite clear from what I have said that these defendants had no right to use the means which are forbidden by the restraining order now brought in question to prevent these operatives from continuing to work for the complainants, and that in doing so they are inflicting an injury upon the complainants in respect to their private rights, precisely the same as they would if they broke, interfered with, or clogged the engine that drove their machinery and that for such injury the complainants are entitled to a legal remedy by action. Now, this being so, the next question is, what right have the complainants here in this court asking for the restraining power of the court? Why, the answer to that is twofold: First. It is quite plain that the relief in damages to be recovered in an action at law is entirely inadequate. It is quite absurd to say that they can sue each of these persons, and recover damages against them in separate suits, for every little act which, in the aggregate, tends to result in injury. And, in the second place, the injury is continuing and irreparable, and not capable of admeasurement according to legal principles. So that at law the remedy is entirely inadequate. It is therefore a clear case for the interposition of a court of equity to exercise its preventive remedy, and that is the particular sphere at this day of a court of equity, as contradistinguished from a court of law. It prevents injury. It does not give damages for injuries already sustained, but it prevents an injury from being inflicted. Now, the application of the remedy in this case I am quite aware will be disagreeable, and it may be inefficient. Any judge would prefer to avoid dealing with a case of this kind—would naturally shrink